

Ms. Lubby Navarro, Board Member

SUBJECT: BOARD MEMBER ITEMS

**COMMITTEE: INNOVATION, GOVERNMENTAL RELATIONS AND
COMMUNITY ENGAGEMENT**

**LINK TO STRATEGIC
BLUEPRINT: INFORMED, ENGAGED & EMPOWERED STAKEHOLDERS**

By state law and School Board Policy 0156, Legal Counsel, the Board is authorized "to retain legal counsel to render legal services as needed by the Board or Superintendent for school matters." In addition, Board Policy requires that all contracts to which the Board is a party be reviewed for legal sufficiency by the School Board Attorney (School Board Policy 6540, Approval by the School Board Attorney). The Board Attorney must also be consulted prior to the publication of any Board item seeking the Board's involvement in litigation; this Policy requires that the item be reviewed and approved by the Board Attorney prior to publication (School Board Policy 0156).

During the School Board Committee meetings of November 16, 2016, concerns were raised as to whether certain School Board member items had the requisite legal sufficiency in order for the Board to properly consider these items at its regular meeting. In order to ensure that any School Board member items are free of any legal defects that would preclude their publication in the Agenda, this item seeks the Board's consideration that a procedure be established and/or formalized through Board policy that would require that all School Board member action items or Board member Resolutions seeking a call to action, be reviewed or approved by the School Board Attorney for legal sufficiency prior to publication in the Agenda.

**ACTION PROPOSED BY
LUBBY NAVARRO:**

That The School Board of Miami-Dade County, Florida establish a procedure, formalized through Board policy, that would require that all School Board member action items or Resolutions seeking a call to action be reviewed and/or approved by the School Board Attorney for legal sufficiency prior to publication in the Agenda of each regular meeting of the Board.